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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DURK BANKS, et al.,

Defendants.

No. CR 2:24-621(B)-MWF

GOVERNMENT'S EX PARTE APPLICATION  
FOR ORDER SEALING DOCUMENT;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF DANIEL  
H. WEINER

Plaintiff United States of America hereby applies ex parte for an order directing that the government's Exhibit Regarding an Improper Photograph Taken During the November 18, 2025 Hearing and Published Online in the above-entitled case be kept under seal until further order of the Court.

1 This ex parte application is based upon the attached memorandum  
2 of points and authorities and Declaration of Daniel H. Weiner.

3  
4 Dated: November 19, 2025

Respectfully submitted,

5 BILAL A. ESSAYLI  
6 First Assistant United States  
Attorney

7 ALEXANDER B. SCHWAB  
8 Assistant United States Attorney  
Acting Chief, Criminal Division

9 /s/  
10 IAN V. YANNIELLO  
11 GREGORY W. STAPLES  
12 DANIEL H. WEINER  
13 Assistant United States Attorneys

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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

**MEMORANDUM OF POINTS AND AUTHORITIES**

Plaintiff United States of America requests that this Court seal the government's Exhibit Regarding an Improper Photograph Taken During the November 18, 2025 Hearing and Published Online.

The Court has inherent supervisory authority to seal documents in appropriate circumstances. See Nixon v. Warner Communications, Inc., 435 U.S. 589, 598 (1978) ("Every court has supervisory power over its own records and files . . .").

Here, for the reasons described in the attached declaration, sealing of the exhibit is necessary to protect further dissemination of the improper photograph. The government accordingly requests that the exhibit be maintained under seal until further order of the Court.

Dated: November 19, 2025

Respectfully submitted,

BILAL A. ESSAYLI  
First Assistant United States  
Attorney

ALEXANDER B. SCHWAB  
Assistant United States Attorney  
Acting Chief, Criminal Division

/s/  
IAN V. YANNIELLO  
GREGORY W. STAPLES  
DANIEL H. WEINER  
Assistant United States Attorneys

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

**DECLARATION OF DANIEL H. WEINER**

I, Daniel H. Weiner, declare as follows:

1. I am an Assistant United States Attorney for the Central District of California and I am one the attorneys assigned to the prosecution of United States v. Durk Banks, et al., No. CR 24-621(B)-MWF. I make this declaration in support of the government's ex parte application for an order sealing the government's Exhibit Regarding an Improper Photograph Taken During the November 18, 2025 Hearing and Published Online.

2. The government requests leave to file this exhibit under seal. The above-described exhibit depicts certain defendants and counsel during the November 18, 2025 hearing in this matter. Sealing of the exhibit is necessary to avoid further dissemination of the improper photograph.

3. Accordingly, the government requests that the exhibit be kept under seal until further order of the Court.

4. Counsel for defendants have advised the government that they have no objection to the government's request to file the exhibit under seal. As of the time of this filing, the government was unable to obtain a position from counsel for defendant Wilson.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on November 19, 2025, at Los Angeles, California.

/s/ Daniel H. Weiner  
DANIEL H. WEINER

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